

**IN THE UNITED STATES DISTRICT COURT
OF THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

JOSEPH WILLIAM BAILEY §
§
V. § **No. 2:03CV457**
§
KAREN PRICE, Individually and Acting §
in her Official Capacity as District §
Attorney of Shelby County, Texas §

MEMORANDUM ORDER

Before the Court is Defendant's Motion to Dismiss and for Summary Judgment (Docket Entry # 29).¹ Defendant filed her motion on January 10, 2006. Pursuant to Local Rule CV-7, a party has fifteen (15) days in which to file a response to a motion. Plaintiff has failed to file a response to the motion within the time prescribed by the Local Rules.

The Court will allow Plaintiff additional time in which to file a response to Defendant's motion. Plaintiff shall file a response to Defendant's motion within seven (7) business days from the date of entry of this Order. Plaintiff is advised that failure to respond within the time prescribed may result in an Order granting the above-referenced motion.² Based on the foregoing, it is

ORDERED that Plaintiff shall file a response, within seven (7) business days from the date of entry of this Order, to Defendant's Motion to Dismiss and for Summary Judgment (Docket Entry # 29). It is further

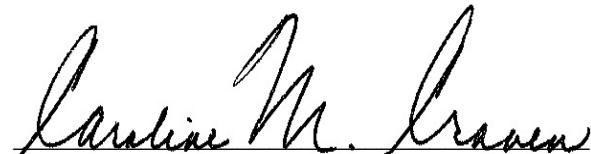
ORDERED that failure to respond within the time prescribed may result in an Order granting

¹On January 12, 2005, the above-entitled and numbered cause of action was referred to the undersigned in accordance with 28 U.S.C. § 636(c) and the consent of the parties.

² Local Rule CV-7(d) states that "in the event a party fails to oppose a motion in the manner prescribed herein, the Court will assume that the party has no opposition."

the above-referenced motion.

SIGNED this 6th day of February, 2006.



Caroline M. Craven
CAROLINE M. CRAVEN
UNITED STATES MAGISTRATE JUDGE